

Message

From: Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]
Sent: 1/28/2019 7:44:01 PM
To: Dunn, Alexandra [dunn.alexandra@epa.gov]; Morris, Jeff [Morris.Jeff@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]
CC: Mottley, Tanya [Mottley.Tanya@epa.gov]; Symmes, Brian [Symmes.Brian@epa.gov]
Subject: RE: QFR #133 - HOWS THIS?????

How's about this for the 2nd paragraph.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator, OCSPP
P: 202-564-1273
beck.nancy@epa.gov

From: Dunn, Alexandra
Sent: Monday, January 28, 2019 2:38 PM
To: Morris, Jeff <Morris.Jeff@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>
Subject: RE: QFR #133 - HOWS THIS?????

Okay, so I'm going with the longer version and the option for shorter. Thanks everyone.

Alexandra Dapolito Dunn, Esq.
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From: Morris, Jeff
Sent: Monday, January 28, 2019 2:31 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>

Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>

Subject: RE: QFR #133 - HOWS THIS?????

The text below, "intact asbestos building materials that are not releasing fibers are not likely to pose a risk," is consistent with our web site. For context, below is the full web site language.

Our web site says the following:

If you think there may be asbestos in your home, don't panic.

Asbestos-containing materials that aren't damaged or disturbed are not likely to pose a health risk. Usually the best thing is to leave asbestos-containing material alone if it is in good condition.

Generally, asbestos-containing material that is in good condition and will not be disturbed (by remodeling, for example) will not release asbestos fibers.

Asbestos-containing materials may release fibers when they are disturbed, damaged, removed improperly, repaired, cut, torn, sanded, sawed, drilled or scraped. Keep an eye on asbestos-containing materials and visually check them over time for signs of wear or damage. If you suspect material contains asbestos, don't touch it. Look for signs of wear or damage such as tears, abrasions, or water damage. Damaged material may release asbestos fibers. This is particularly true if you often disturb it by hitting, rubbing or handling, or if it is exposed to extreme vibration or air flow.

For slightly damaged asbestos-containing material, sometimes the best way to deal with it is to limit access to the area and not to touch or disturb it. If asbestos-containing material is more than slightly damaged or if you are going to make changes in your home that might disturb it, repair or removal by a trained and accredited asbestos professional is needed.

So I think the sentence

From: Dunn, Alexandra

Sent: Monday, January 28, 2019 2:23 PM

To: Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>

Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>

Subject: RE: QFR #133 - HOWS THIS?????

Please confirm asap as answers must go to OCIR by 245.

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From: Beck, Nancy

Sent: Monday, January 28, 2019 2:16 PM

To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Morris, Jeff

<Morris.Jeff@epa.gov>

Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>

Subject: RE: QFR #133 - HOWS THIS?????

Is the language directly from our webpage regarding homes, or is it new language? Can we find a middle ground using what is already on the web?

Nancy B. Beck, Ph.D., DABT

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From: Dunn, Alexandra

Sent: Monday, January 28, 2019 2:14 PM

To: Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>

Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

Subject: RE: QFR #133 - HOWS THIS?????

I'm inclined to give the longer answer and if they want they can use the edited shorter version below. I'll send to OCIR.

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From: Bertrand, Charlotte

Sent: Monday, January 28, 2019 2:00 PM

To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>

Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

Subject: RE: QFR #133 - HOWS THIS?????

Some suggested edits below.

From: Dunn, Alexandra

Sent: Monday, January 28, 2019 1:48 PM

To: Morris, Jeff <Morris.Jeff@epa.gov>

Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

Subject: RE: QFR #133 - HOWS THIS?????

Edited below and thanks.

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From: Morris, Jeff
Sent: Monday, January 28, 2019 1:40 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>
Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>
Subject: RE: QFR #133

To address serious adverse health impact concerns associated with exposure to asbestos, EPA has started two asbestos actions under its TSCA authorities. The first is to evaluate the uses of asbestos that are still being manufactured and imported into the United States. If EPA's risk evaluation shows that any of those uses presents an unreasonable risk to people or the environment, the law requires EPA to take action to eliminate the risk. The second action EPA has taken is to guard against former asbestos uses coming back, either through domestic manufacture or import into the United States. We are working to finalize a rule requiring that certain asbestos uses that are no longer in commerce in the United States, but existed before EPA's partial asbestos ban in 1989, cannot be restarted without EPA review and regulation.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 > The new efforts we have initiated under our TSCA authorities, will give us a better understanding of where risks from asbestos exposure still exist, so that we can apply the most effective and protective approaches to address them.

From: Dunn, Alexandra
Sent: Monday, January 28, 2019 1:06 PM
To: Morris, Jeff <Morris.Jeff@epa.gov>
Cc: Mottley, Tanya <Mottley.Tanya@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>
Subject: Re: QFR #133

How about drafting something around this

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Sent from my iPhone

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
(857) 291-4405 mobile

This email is for official EPA business only and may be subject to disclosure under the Freedom of Information Act

On Jan 28, 2019, at 12:59 PM, Morris, Jeff <Morris.Jeff@epa.gov> wrote:

And if more is wanted, we could cite the asbestos problem formulation document, located at https://www.epa.gov/sites/production/files/2018-06/documents/asbestos_problem_formulation_05-31-18.pdf, which indicates that the EPA will be evaluating the following uses in its risk evaluation:

Activity	Product Category	Example
Known, Intended, or Reasonably Foreseen Use	Asbestos Diaphragms	Chlor-alkali Industry
	Sheet Gaskets	Chemical Manufacturing
	Oilfield Brake Blocks	Oil Industry
	Aftermarket Automotive Brakes/Linings	Passenger Vehicles
	Other Vehicle Friction Products	Non-passenger Vehicles
	Asbestos Cement Products	Cement pipe
	Other Gaskets and Packing	Equipment Seals
	Woven Products	Imported Textiles

From: Dunn, Alexandra
Sent: Monday, January 28, 2019 12:43 PM
To: Morris, Jeff <Morris.Jeff@epa.gov>
Subject: Re: QFR #133

Sadly yes asap. ;)

Sent from my iPhone

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On Jan 28, 2019, at 12:36 PM, Morris, Jeff <Morris.Jeff@epa.gov> wrote:

On it; what's the deadline? ASAP?

From: Dunn, Alexandra
Sent: Monday, January 28, 2019 12:23 PM
To: Morris, Jeff <Morris.Jeff@epa.gov>
Subject: Fwd: QFR #133

Can you expand on this answer.

Sent from my iPhone

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Assistant Administrator
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Begin forwarded message:

From: "Frye, Tony (Robert)" <frye.robert@epa.gov>
Date: January 28, 2019 at 12:14:39 PM EST
To: "Lyons, Troy" <lyons.troy@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>
Cc: "Dunn, Alexandra" <dunn.alexandra@epa.gov>, "Baptist, Erik" <Baptist.Erik@epa.gov>, "Bertrand, Charlotte" <Bertrand.Charlotte@epa.gov>
Subject: RE: QFR #133

The request was for 133 which is included below. Apologies for the confusion. Moving OW to bcc.

133. Asbestos is a known carcinogen that has been banned in more than 60 countries, because there is no safe or controlled use of asbestos.

Would you agree that there is no safe or controlled use of asbestos?

We are currently conducting a risk evaluation of asbestos to determine whether it presents unreasonable risk under the conditions of use.

Tony Frye
Special Advisor
Office of Congressional Affairs
Environmental Protection Agency
Cell: 202.603.3225

From: Lyons, Troy
Sent: Monday, January 28, 2019 12:03 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Dunn, Alexandra <dunn.alexandra@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Subject: RE: QFR #33

Many thanks, OCSPP.

OW—please see the qfr below for your attention. RJ wants to know if there is anything further that we can provide in our answer. If the answer is “no” then that is fine.

From: Beck, Nancy
Sent: Monday, January 28, 2019 11:48 AM
To: Frye, Tony (Robert) <frye.robert@epa.gov>
Cc: Lyons, Troy <lyons.troy@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Subject: Re: QFR #33

This is a question for OW. The UCMR rule is theirs.

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On Jan 28, 2019, at 11:31 AM, Frye, Tony (Robert) <frye.robert@epa.gov> wrote:

33. When EPA conducted its Unregulated Contaminant Monitoring Rule (UCMR) 3 monitoring, it identified 63 drinking water systems^[1] with combined PFOA and PFOS levels that exceeded EPA’s health advisory levels. However, according to former EPA officials, EPA also received data related to PFAS detected at levels below EPA’s health advisory level. For each category below, please provide a list of drinking water systems

^[1] https://pfas-1.itrcweb.org/wp-content/uploads/2018/01/pfas_fact_sheet_regulations_1_4_18.pdf

(including their location) whose UCMR 3 occurrence data fell into the specified range.

- a. Systems whose levels exceeded the combined PFOA and PFOS health advisory levels.
- b. Systems whose combined PFOA and PFOS levels were between 60-70 ppt.
- c. Systems whose combined PFOA and PFOS levels were between 50-60 ppt.
- d. Systems whose combined PFOA and PFOS levels were between 40-50 ppt.
- e. Systems whose combined PFOA and PFOS levels were between 30-40 ppt.
- f. Systems whose combined PFOA and PFOS levels were between 20-30 ppt.

To provide Americans, including the most sensitive populations, with a margin of protection from a lifetime of exposure to PFOA and PFOS from drinking water, the EPA has established the health advisory levels at 70 parts per trillion. EPA fact sheets state that when both PFOA and PFOS are found in drinking water, the combined concentrations of PFOA and PFOS should be compared with the 70 parts per trillion health advisory level. This health advisory level offers a margin of protection for all Americans throughout their life from adverse health effects resulting from exposure to PFOA and PFOS in drinking water.

The EPA worked with states and public water systems (PWSs) to characterize the occurrence of six PFAS in the nation's drinking water served by PWSs by including six PFAS in the third Unregulated Contaminant Monitoring Rule (UCMR3) under the Safe Drinking Water Act (SDWA). From 2013-2015, at least one sample of drinking water was collected and analyzed for six PFAS in nearly 5,000 PWSs across the nation, accounting for approximately 80 percent of the U.S. population served by PWSs (approximately 250 million people).

Under the UCMR3, the EPA found that 1.3 percent of the participating PWSs (63 out of 4,920 PWSs reporting) had at least one sample that measured PFOA, PFOS, or a combined value for PFOA and PFOS at concentrations greater than 70 ppt. The EPA found 4.0 percent of PWSs (198 out of 4,920 systems) reported results for which one or more of the six PFAS (PFOA, PFOS, perfluorononanoic acid (PFNA), perfluorohexane sulfonic acid (PFHxS), (perfluoroheptanoic acid) PFHpA, or perfluorobutane sulfonate (PFBS)) was measured at or above the minimum reporting limit (MRL) during one or more sampling events at one or more sampling locations.

The final UCMR3 data set is publicly available on the UCMR occurrence data web page (<https://www.epa.gov/dwucmr/occurrence-data-unregulated-contaminant-monitoring-rule>) as are the instructions for importing the UCMR3 results (<https://www.epa.gov/sites/production/files/2016-08/documents/instructions-importing-viewing-ucmr3-results.pdf>) to filter, analyze, or view the analytical data under various scenarios, including the specified ranges in the question. However, please note the UCMR3 MRL for PFOA was 20 ppt and for PFOS was 40 ppt. The EPA has no numeric results below the MRLs.

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From: Beck, Nancy
Sent: Monday, January 28, 2019 11:27 AM
To: Lyons, Troy <lyons.troy@epa.gov>
Cc: Dunn, Alexandra <dunn.alexandra@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>
Subject: Re: QFR #33

We are in Potomac yards. Can you send us the question?

Nancy B. Beck, Ph.D., DABT
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On Jan 28, 2019, at 10:59 AM, Lyons, Troy
<lyons.troy@epa.gov> wrote:

Ryan would like for OCSPP to provide a
more robust answer for QFR
#33. Would like to get this wrapped up
by 12:00EST/

Troy M. Lyons
Associate Administrator
Office of Congressional &
Intergovernmental Relations
U.S. Environmental Protection Agency
202-309-2490 (cell)

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